

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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: **Chapter 11 Case No.**
: **08-13555 (JMP)**
: **(Jointly Administered)**
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In re
LEHMAN BROTHERS HOLDINGS INC., et al.,
Debtors.

**ORDER DENYING MOTION OF LAWRENCE FOGARAZZO, ET. AL.,
PURSUANT TO SECTION 362 OF THE BANKRUPTCY CODE,
FOR RELIEF FROM THE AUTOMATIC STAY TO ALLOW
ADVANCEMENT UNDER INSURANCE POLICIES BY LLOYD'S OF LONDON**

Upon the motion, dated July 19, 2010 (the "Motion") [Docket No. 10279], of Lawrence Fogarazzo, *et. al.* ("Movants"), pursuant to section 362 of title 11 of the United States Code, for relief from the automatic stay to allow advance under insurance policy by Lloyd's of London; and upon the responses to the Motion filed by Lehman Brothers Holdings Inc. ("LBHI") [Docket No. 12660] and Certain Underwriters at Lloyd's and Companies ("Lloyd's") [Docket No. 12651]; and upon the joinder to LBHI's response filed by the Official Committee of Unsecured Creditors [Docket No. 12732]; and upon the reply in support of the Motion filed by the Movants [Docket No. 12737]; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the Standing Order M-61 Referring to Bankruptcy Judges for the Southern District of New York Any and All Proceedings Under Title 11, dated July 10, 1984 (Ward, Acting C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided, and it appearing that no other or further notice

need be provided; and the Court having considered all of the pleadings filed in respect of the Motion; and a hearing having been held to consider the relief requested in the Motion on November 17, 2010 (the "Hearing"); and after due deliberation, it is hereby

ORDERED that, for the reasons set forth by the Court on the record of the Hearing, the Motion is denied without prejudice; and it is further

ORDERED that, LBHI and/or Lloyd's shall provide redacted copies of the relevant termination and settlement agreements in respect of LBHI's Primary Combined Financial Institutions Comprehensive Crime and Professional Indemnity Policy (Policy No. 509/QA529399) and Excess Combined Financial Institutions Comprehensive Crime and Professional Indemnity Policy (Policy No. 509/QA529499) to counsel for the Movants, subject to the parties' entry into a confidentiality agreement acceptable to LBHI and Lloyd's; and it is further

ORDERED that this Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: New York, New York
December 1, 2010

s/ James M. Peck
UNITED STATES BANKRUPTCY JUDGE